

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

ANDRE M. KELLY,

Plaintiff,

v.

C/O A. PETERSON #1586,
C/O KE CASPERSES and
C/O COFFEE,

Defendants.

ORDER

13-cv-651-bbc

Plaintiff Andre M. Kelly, an inmate at the Dane County Jail in Madison, Wisconsin, has submitted a proposed complaint. He requests leave to proceed *in forma pauperis*. A decision on the request will be delayed until plaintiff submits a trust fund account statement for the six-month period immediately preceding the filing of the complaint as required by 28 U.S.C. § 1915(a)(2) and the 1996 Prison Litigation Reform Act.

Plaintiff's complaint was filed on September 6, 2013. His trust fund account statement should cover the six-month period beginning approximately March 6, 2013, and ending approximately September 6, 2013. Once plaintiff has submitted the necessary statement, I will calculate his initial partial payment and advise him of the amount he will have to pay before the court can screen the merits of his complaint under 28 U.S.C. § 1915(e)(2). Plaintiff should show a copy of this order to jail officials to insure that they are aware they should send a copy of plaintiff's six-month inmate account statement to this court.

ORDER

IT IS ORDERED that plaintiff Andre M. Kelly may have until October 10, 2013, in which to submit a certified copy of his inmate account statement for the period beginning approximately March 6, 2013 and ending approximately September 6, 2013. If, by October 10, 2013, plaintiff fails to respond to this order, I will assume that he wishes to withdraw this action voluntarily. In that event, the clerk of court is directed to close this case without prejudice to plaintiff's filing his case at a later date.

Entered this 19th day of September, 2013.

BY THE COURT:

/s/
PETER OPPENEER
Magistrate Judge